

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IAN A. WOODS,

Plaintiff,

vs.

KING'S ROW TRAILER PARK, *et al.*

Defendants.

2:11-cv-898-JCM-CWH

ORDER

Plaintiff submitted an Application to Proceed *in Forma Pauperis* (#1) and a Complaint on June 2, 2011. Plaintiff is proceeding in this action *pro se* and has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may authorize the commencement of an action “without prepayment of fees and costs or security therefor, by a person who makes affidavit that he is unable to pay such costs or give security therefore.” 28 U.S.C. § 1915(a).

In Forma Pauperis Application

Plaintiff has submitted the affidavit required by § 1915(a) to show that he is unable to prepay fees and costs or give security for them. In Plaintiff's Application to Proceed *In Forma Pauperis*, Plaintiff reports he is currently unemployed and is incarcerated at the Clark County Detention Center. Plaintiff states that his current account balance is \$8.00. Since Plaintiff does not have \$350.00 in his account, the Court must calculate installments to be paid based on Plaintiff's average monthly balance or average monthly deposits, whichever is greater. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has failed to include these amounts with his certificate. Because of this deficiency, the Court is unable to determine whether Plaintiff's finances are insufficient to pay the filing fee in this case. Accordingly,

1 **IT IS ORDERED** that the Application to Proceed *in Forma Pauperis* (#1) is **DENIED**
2 **WITHOUT PREJUDICE**. Plaintiff shall submit a properly completed financial certificate within
3 thirty days from the date that this Order is entered. Failure to comply with this Order may result in the
4 Court recommending dismissal of this action.

5 Dated this 18th day of January, 2012.

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C.W. HOFFMAN, JR.
UNITED STATES MAGISTRATE JUDGE